

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested. Claims 1-27 and 37-84 are pending, Claims 1, 7-9, 10, 16-18, 19, 25-27, 37, 42-44, 45, 50-52, 53, 55-57, 59-61, 68, 74-78 and 82-84 having been amended, and Claims 28-36 having been canceled without prejudice or disclaimer.

In the outstanding Office Action Claims 1, 7-10, 16-19, 25-28, 34-37, 42-45, 50-57, 59-62, 64-66, 68, 74-77 and 82-84 were rejected as being anticipated by Stefik (U.S. Patent No. 5,715,403); and Claims 2-6, 11-15, 20-24, 29-33, 38-41, 46-49, 58, 63, 67, 69-73 and 78-81 were indicated as containing allowable subject matter. Applicants appreciatively acknowledge the identification of allowable subject matter.

Before turning to the rejection on the merits, a brief recapitulation of aspects of the present invention is now described. The present inventors recognized that a limitation with electronic music distribution (EMD) systems is that some systems have insufficient memory to hold an amount of music desired by the user. As an example, a hand held phone, or PDA, may be equipped to receive EMD services, but these services generally are inadequate to receive a large volume of music because the memories are inadequate.

The present inventors address this deficiency, by coordinating the resources of a server (e.g., a manager server), which may dedicate memory resources (such as a personal computer's hard disk drive or at least a portion thereof) for the benefit of a particular user that may have inadequate memory capability. Moreover, the system enables accessing of contents at any time, anywhere from a plurality of devices owned by the user. In this way, a user's content management model is based at the server and accessible by way of a communication network (e.g., the Internet) to provide memory support for a variety of different devices of the user.

Amended Claim 1 is directed to an information providing apparatus, comprising (1) first reception control means for identifying a user of an apparatus and requesting a purchase of a content, (2) first transmission control means for controlling the transmission of the purchase request to a second information processing apparatus, (3) second reception control means for controlling reception of the content an usage conditions corresponding to the content, (4) storage means for storing the content and the usage conditions requested for purchase by the user and registering the content and the usage conditions in correlation with the user identification data, (5) controlling reception of the user identification data and a request for sending the content supplied from the first information processing apparatus, and (6) controlling the transmission of the content on the basis of the user identification data.

In contrast, Stefik does not describe a first reception control means for controlling reception from a first information processing apparatus of a user's identification data and a request for purchasing content, in combination with a first transmission control means for controlling the transmission of the request for purchasing to a second information processing apparatus. An attribute of the claimed invention, is that it would enable a user to share the storage assets of a manager server for the benefit of the user, despite the user having present access only to a device that has poor memory resources. Thus an attribute of the present invention that is not present in Stefik is that a plurality of devices owned by one user would be able to access the contents from anywhere and any of the devices, from the storage by the manager server, where the content would be accessed for the benefit of the user.

Accordingly, it is respectfully submitted that Stefik does not anticipate amended Claim 1 as Stefik does not disclose neither the first transmission control means, second reception control means, or storage means, as claimed.

Independent Claims 7-9, although of different statutory class, contains similar provisions to that of amended Claim 1, and therefore it is respectfully submitted that the invention of Claims 7-9 also patentably defines over Stefik.

Similar to Claim 1, Claim 10, as amended, includes the provision that an information processing apparatus includes reception control means for controlling reception of contents supplied from a first information providing apparatus, when the first information providing apparatus stores the content requested by a second transmission control means and the requested content is stored in correlation with the user identification data.

Once again, Stefik is not directed to a device that saves on behalf of a user of one or more other devices, content that is stored for the benefit of that user, in correlation with the user identification data. Accordingly, it is respectfully submitted that amended Claim 10 as well as Claims 16-18, which although of different statutory class contain similar provisions, are believed to patentably define over the asserted prior art.

Claim 19 is amended to define an information providing apparatus that includes a storage control means for controlling the storing of content and usage conditions purchased from a second information apparatus in correspondence with the user identification data. Accordingly, it is believed that this difference between amended Claim 19 and Stefik, is substantial, and renders Claim 19 as amended patentable over Stefik. As Claims 25-27 correspond with Claim 19 (although of differing statutory class) it is believed that Claims 25-27 as amended also patentably define over the asserted prior art.

Claim 37, as amended, is directed to an apparatus that includes checking control means for controlling, the checking in of at least first content on the basis of usage conditions stored in correspondence with the user identification data.

In contrast, Stefik is devoid of this entire concept. Moreover, although Stefik decrements a copy count when authorized by a server, Stefik neither teaches nor suggests the

copy count being incremented during a check-in procedure. Furthermore, Stefik is directed to a system in which a first repository stores digital content and checks usage rates attached to digital works when a second repository requests the digital works from the first repository (column 7, lines 30-35). The two repositories communicate interactively. The copy count is controlled by the server. However, even though the copy count is decremented when the copy is authorized by the server, the copy count does not increment.

Furthermore, Stefik describes that based on a copy-count usage rule, the server repository permits the other repository to render (print, play, etc.). In contrast, the invention defined by amended Claim 1, the content and usage conditions are separate and supplied in advance.

As Claim 37 expressly includes a check-in control means, it is respectfully submitted that Claim 37, as amended, patentably defines over Stefik. For substantially the same reasons it is respectfully submitted that Claims 42-44 also patentably define over Claim 37.

Claim 45, as amended, also includes check-in control means, and check-out control means, which, as discussed above at least with regard to Claim 37, is believed to be a feature that is absent in Stefik. As Claims 50-52 correspond with Claim 45 (although of different statutory class) it is believed that Claims 45, and 50-52 also patentably define over Stefik.

Claim 53 includes a second reception control means for controlling the reception of a content supply source address that identifies an address of the content provided from the second information processing apparatus and the usage conditions of the content. Amended Claim 53 also includes storage means for controlling the storing of the content supply source address and the usage conditions in correspondence with the user identification data. A second transmission control means controls, in response to a request from a first information processing apparatus, a content supply source address and usage conditions reported in correspondence with the user identification data to the first information processing apparatus.

As discussed above, it is believed that Stefik neither teaches nor suggests the supplying in advance of content and usage conditions, which dictate the sharing of storage resources, and in particular, specific content supply source addresses, of one apparatus, for the benefit of a second apparatus. Accordingly, it is believed that Claim 53, as amended, patentably defines over Stefik. Likewise, Claims 54-56 (although of different statutory class), are also believed to patentably define over Stefik.

With regard to Claim 57, Claim 57 has been amended to clarify that the apparatus includes a first reception control means for controlling reception from a first information apparatus content supply source address identifying a source of the content provided from a second information providing apparatus for providing content and usage conditions of the content. As discussed above, it is believed that Stefik neither teaches nor suggests such a feature. Accordingly, it is believed that Claim 57, as well as related Claims 59-61, also patentably define over Stefik.

With regard to Claim 62, Claim 62 is directed to an apparatus, that coordinates the transfer of control of content that is transferred from a first apparatus to a second apparatus for the benefit of the user of the first apparatus. As discussed above, Stefik neither teaches nor suggests this feature and thus Claim 62 patentably defines over Stefik.

For substantially the same reasons, it is respectfully submitted that Claims 64-66 also patentably define over Stefik.

With regard to Claim 68, amended Claim 68 includes transmission control means and reception control means, that coordinate an exchange of content from one apparatus to another for the benefit of the first apparatus. Claim 68 also includes a storage control means, that controls the storage of information of the first information processing apparatus in correspondence with identification for identifying the content transmitted to the first information processing apparatus. It is believed that Stefik neither teaches nor suggests this

coordination feature and sharing of resources as claimed in amended Claim 68. Accordingly, it is respectfully submitted that Claim 68 as well as corresponding Claims 74-76 also patentably define over Stefik.

With regard to Claim 77, Claim 77 is directed to an apparatus that includes a first transmission control means for controlling a transmission of a request for content to an information providing apparatus via second information providing apparatus connected with the information processing apparatus. Although other features in Claim 77 also distinguish Stefik, it should be clear from this element of amended Claim 77, that the presently amended claim also patentably defines over Stefik, which is devoid of this type of coordination. Consequently, it is respectfully submitted that Claim 77, as well as related Claims 82-84, as amended, also patentably define over Stefik.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-27 and 37-84, as amended, patentably define over the asserted prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

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